

Appl. No. : 10/536,675  
Filed : May 27, 2005

### REMARKS

Claims 1-6, and 8 have been cancelled. Claims 7, 9 and 10 have been amended. Claims 7, and 9-11 are now pending in this application. The specification has been amended to correct a clerical error. Further support for the amendments is found in the existing claims and the specification as discussed below. Accordingly, the amendments do not constitute the addition of new matter. Applicant respectfully requests the entry of the amendments and reconsideration of the application in view of the amendments and the following remarks.

#### **Priority**

Applicants submit herewith as Attachment A a copy of PCT/IB/304, indicating that the priority document was transmitted by the International Bureau. Acknowledgement that Applicants' claim to priority under 35 U.S.C. § 119 (a)-(d) has been perfected is respectfully requested.

#### **Rejection under 35 U.S.C. § 112, second paragraph**

Claims 3-6 and 9 are rejected under 35 U.S.C. § 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The rejection of claims 3-6 is moot in view of Applicants' cancellation of those claims.

The rejection to claim 9 has been addressed by replacement of "alleviating" with "reducing". It is respectfully submitted that the term "reducing" more clearly describes the effect of the claimed method. Support is found in the specification, see particularly Example 2.

The rejection of claim 7 is addressed by amendment.

In view of Applicants' amendments, reconsideration and withdrawal of the above ground of rejection is respectfully requested.

#### **Rejection under 35 U.S.C. § 112, first paragraph**

Claims 7-11 are rejected under 35 U.S.C. § 112, first paragraph as containing subject matter which is not described in the specification in such a way so as to enable one skilled in the art to which it pertains to make and/or use the invention.

In response to this ground of rejection, claim 7 has been amended and is now directed to methylophiopogonanone B and/or a salt thereof. Support is found in cancelled claim 8.

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The effect of the presently claimed invention, directed to a method for inhibiting elongation of melanocytic dendrites utilizing methylophiopogonanone B is shown in Example 1 of the present specification. Treatment of human melanocytes in vitro with compositions comprising Compound 1 (methylophiopogonanone B) inhibits dendrite elongation. The whitening effect which is the result of the action of inhibiting elongation of melanocytic dendrites is shown in Examples 2-4. Example 2 shows alleviation of dark complexion by treatment with a cosmetic that includes Compound 1, compared to a control in which squalene was substituted for Compound 1. Examples 3 and 4 show similar results. Applicants respectfully submit that the claims as amended are completely enabled.

In view of Applicants' amendments and arguments, reconsideration and withdrawal of the above ground of rejection is respectfully requested.

**Rejection under 35 U.S.C. § 102(b)**

Claims 1-2 are rejected under 35 U.S.C. § 102 based upon several prior art references. However, these grounds of rejection are moot in view of Applicants' cancellation of claims 1-2.

**CONCLUSION**

In view of Applicants' amendments to the claims and the foregoing Remarks, it is respectfully submitted that the present application is in condition for allowance. Should the Examiner have any remaining concerns which might prevent the prompt allowance of the application, the Examiner is respectfully invited to contact the undersigned at the telephone number appearing below.

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Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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Dated: June 17, 2006

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# PATENT COOPERATION TREATY



**PCT**

## NOTIFICATION CONCERNING SUBMISSION OR TRANSMITTAL OF PRIORITY DOCUMENT

(PCT Administrative Instructions, Section 411)

From the INTERNATIONAL BUREAU

To:

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Acropolis 21 Building 6th floor  
4-10, Higashi Nihonbashi 3-chome  
Chuo-ku, Tokyo 103-0004  
Japan

Date of mailing (day/month/year) 26 February 2004 (26.02.2004)	
Applicant's or agent's file reference OP1649-PCT	<b>IMPORTANT NOTIFICATION</b>
International application No. PCT/JP2003/015266	International filing date (day/month/year) 28 November 2003 (28.11.2003)
International publication date (day/month/year) Not yet published	Priority date (day/month/year) 02 December 2002 (02.12.2002)
Applicant POLA CHEMICAL INDUSTRIES INC. et al	

1. By means of this Form, which replaces any previously issued notification concerning submission or transmittal of priority documents, the applicant is hereby notified of the date of receipt by the International Bureau of the priority document(s) relating to all earlier application(s) whose priority is claimed. Unless otherwise indicated by the letters "NR", in the right-hand column or by an asterisk appearing next to a date of receipt, the priority document concerned was submitted or transmitted to the International Bureau in compliance with Rule 17.1(a) or (b).
2. (If applicable) The letters "NR" appearing in the right-hand column denote a **priority document which, on the date of mailing of this Form, had not yet been received by the International Bureau** under Rule 17.1(a) or (b). Where, under Rule 17.1(a), the priority document must be submitted by the applicant to the receiving Office or the International Bureau, but the applicant fails to submit the priority document within the applicable time limit under that Rule, **the attention of the applicant is directed to Rule 17.1(c)** which provides that no designated Office may disregard the priority claim concerned before giving the applicant an opportunity, upon entry into the national phase, to furnish the priority document within a time limit which is reasonable under the circumstances.
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<u>Priority date</u>	<u>Priority application No.</u>	<u>Country or regional Office or PCT receiving Office</u>	<u>Date of receipt of priority document</u>
02 Dec 2002 (02.12.2002)	2002-349376	JP	12 Febr 2004 (12.02.2004)

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